



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/028,156	12/21/2001	Roger A. Sabbadini	078853-0304

CONFIRMATION NO. 4039

## FORMALITIES LETTER



\*OC000000007400449\*

Andrew Edward Granston  
Foley & Lardner  
P.O. Box 80278  
San Diego, CA 92138-0278

COPY OF PAPERS  
ORIGINALLY FILED

Date Mailed: 01/31/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 435.

*A copy of this notice **MUST** be returned with the reply.*

*E. Hailer*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/21/2002 SMINASS1 00000051 10028156

01 FC:201 370.00 DP  
02 FC:205 65.00 DP

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<sup>mps</sup>  
**FOLEY LARDNER**  
ATTORNEYS AT LAW

COPY OF PAPERS  
ORIGINALLY FILED

May 7, 2002

U.S. Patent and Trademark Office  
Attn: Box Missing Parts  
Washington, D.C. 20231

Re: U.S. Application No. 10/028,156  
Title: COMPOSITIONS AND METHODS FOR THE  
TREATMENT AND PREVENTION OF  
CARDIOVASCULAR DISEASES AND DISORDERS,  
AND FOR IDENTIFYING AGENTS THERAPEUTIC  
THEREFOR  
Inventor: Roger A. Sabbadini  
Our Reference No.: 078853-0304

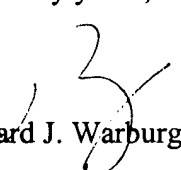
To Whom It May Concern:

This above entitled Application was filed with the U.S. Patent and Trademark Office on December 21, 2001. In the transmittal forwarded with the Application, our office erroneously requested that the application not be submitted for Publication.

This letter serves to confirm that we are not requesting non-publication of the above entitled patent application. The box for "Request for application not to be published with certification under 35 U.S.C. §122(b)(2)(B)(I)" was inadvertently checked on our Utility Patent Application Transmittal.

I apologize for any inconvenience this may have caused.

Very truly yours,

  
Richard J. Warburg

RJW/mls

FOLEY & LARDNER  
11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
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SAN DIEGO, CALIFORNIA 92138-0278

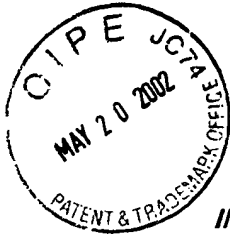
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CLIENT/MATTER NUMBER  
078853-0306

023.214926.1



Atty. Dkt. No. 078853-0304

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Roger A. Sabbadini

Title: COMPOSITIONS AND  
METHODS FOR THE  
TREATMENT AND  
PREVENTION OF  
CARDIOVASCULAR DISEASES  
AND DISORDERS, AND FOR  
IDENTIFYING AGENTS  
THERAPEUTIC THEREFOR

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Michelle Simpson  
(Printed Name)

Michelle Simpson  
(Signature)

May 7, 2002  
(Date of Deposit)

**COPY OF PAPERS  
ORIGINALLY FILED**

Appl. No.: 10/028,156

Filing Date: 12/21/2001

Examiner: Unknown

Art Unit: 1614

**TRANSMITTAL OF MISSING PARTS  
OF PATENT APPLICATION**

Commissioner for Patents  
Washington, D.C. 20231

Attn: BOX MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed on January 31, 2002, in the above-identified application, transmitted herewith are the missing parts needed to complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (4 pages)
- ☒ Return Copy of Notice to File Missing Parts (1 page)
- ☒ Other: Petition for Extension of Time (1 page)

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$740.00	\$740.00
Total Claims:	20	- 20	= 0	x \$18.00	= \$0.00
Independents:	2	- 3	= 0	x \$84.00	= \$0.00
If any Multiple Dependent Claim(s) present:				+ \$280.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$870.00
[ X ] Small Entity Fees Apply (subtract ½ of above):					= \$435.00
				TOTAL FILING FEE:	= \$435.00
				TOTAL FEE	= \$435.00
Difference to pay:				- \$0.00	- \$435.00

[ X ] Check in the amount of \$435.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

[ X ] Check in the amount of \$200.00.

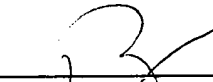
[ ] Please charge Deposit Account No. 50-0872 in the amount of \$435.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 5/7/02

FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6767  
Facsimile: (858) 792-6773

By 

Richard J. Warburg  
Attorney for Applicant  
Registration No. 32,327



Atty. Dkt. No. 078853-0304

0890  
5/13

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Roger A. Sabbadini  
Title: COMPOSITIONS AND  
METHODS FOR THE  
TREATMENT AND  
PREVENTION OF  
CARDIOVASCULAR DISEASES  
AND DISORDERS, AND FOR  
IDENTIFYING AGENTS  
THERAPEUTIC THEREFOR

<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.  <u>Michelle Simpson</u> (Printed Name)  <u>Michelle Simpson</u> (Signature)  <u>May 7, 2002</u> (Date of Deposit)
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Appl. No.: 10/028,156  
Filing Date: 12/21/2001  
Examiner: Unassigned  
Art Unit: Unassigned

**TRANSMITTAL OF FORMAL DRAWINGS**

Commissioner for Patents  
Washington, D.C. 20231

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith are the formal drawings (6 sheets, Figures 1-6) for the above-identified application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

Respectfully submitted,

Date 5/7/02

FOLEY & LARDNER  
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San Diego, California 92138-0278  
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Facsimile: (858) 792-6773

By Richard J. Warburg

Richard J. Warburg  
Attorney for Applicant  
Registration No. 32,327